

SENATE CONCURRENT RESOLUTION NO. 30 [SCR 30]

BE IT RESOLVED by the Senate of the Ninety-second General Assembly, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninety-second General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that she has compared the same with the original rolls in her office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-second General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

SENATE CONCURRENT RESOLUTION NO. 32 [HCS SCR 32]

WHEREAS, the teaching of universal themes such as honesty and integrity benefits the community as a whole by accomplishing change in ways that strengthen, support, and reflect the local community's values; and

WHEREAS, having good character demonstrates understanding, caring, and acting upon core ethical values such as honesty, respect and responsibility and is an essential attribute of a successful individual; and

WHEREAS, schools that reach out to families and include them in character-building efforts greatly enhance their chances for success with students; and

WHEREAS, traits such as kindness and caring, respect and responsibility, fairness and honesty are critical to the overall health and safety of a school; and

WHEREAS, a school must be a caring community which motivates and challenges students to have good moral character and requires moral leadership from both staff and students; and

WHEREAS, polls have shown that 90% of those surveyed support the teaching of values, like responsibility, respect, courage, and caring in schools; and

WHEREAS, in 1988, CHARACTER^{plus}, a statewide collaborative effort that reaches more than 600 schools, 25,000 teachers, and 300,000 students, and based on a grass-roots community project in the St. Louis region, was established in Missouri by parents, educators, and business leaders and is now our nation's largest community-wide response to the challenges of character education; and

WHEREAS, in accordance with the Missouri School Improvement Program (MSIP) Standard 6.5, a comprehensive intentional character education process helps schools create a positive climate for learning and promotes teacher and administrative responsibility; and

WHEREAS, in accordance with the MSIP Standard 6.6, a comprehensive intentional character education process provides the strategy to promote and maintain orderliness in schools and creates a safe environment; and

WHEREAS, in accordance with MSIP Standard 6.6, the *CHARACTERplus* process provides an assessment tool that gathers data, provides comprehensive and comparative data reports, and furnishes consultation for analyzing and setting up a yearly plan to modify and improve programs and strategies; and

WHEREAS, in accordance with MSIP Standard 6.7, the *CHARACTERplus* process provides professional development for school character education teams and for the entire school staff as an integral part of the character education process; and

WHEREAS, the principles taught by the *CHARACTERplus* process are consistent with "Goal 4" of the Show-Me Standards, as approved by the Missouri State Board of Education on January 18, 1996, which states, "Students in Missouri public schools will acquire the knowledge and skills to make decisions and act as responsible members of society"; and

WHEREAS, at least fourteen states have passed legislation requiring character education be taught in schools, while an additional fourteen states encourage the teaching of character education; and

WHEREAS, character education initiatives in Missouri have received support from the U.S. Department of Education in the form of federal grants to our schools to support local character education efforts as has the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby challenge each school district in our state to develop a character education process that involves school, home, and community, and if it already has such a process in place, reevaluate such process in order to make certain the resources that best benefit the students of this state are being utilized; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of the Department of Elementary and Secondary Education; and

BE IT FURTHER RESOLVED that the Commissioner of the Department of Elementary and Secondary Education be instructed to copy this resolution and distribute one to each school district for distribution to its school board members.

SENATE CONCURRENT RESOLUTION NO. 33 [SCR 33]

WHEREAS, for many years, residents in the greater St. Louis area enjoyed regular airline service by TWA to and from Ronald Reagan Washington National Airport (DCA); and

WHEREAS, St. Louis is a large market, with over 2.6 million people in the St. Louis Metropolitan Statistical Area, and for the year 2003, the St. Louis-Washington market (not including BWI) ranked 13th among Washington destinations inside the 1,250-mile perimeter with 243,302 passengers; and

WHEREAS, because TWA was the dominant airline in St. Louis, fares were relatively high, especially for business travelers who often traveled on a few days' notice. When American Airlines acquired TWA several years ago, they significantly reduced their presence in St. Louis and service to Washington, D.C. has suffered as a result; and

WHEREAS, American Airlines now operates its DCA to STL services using regional jets with a seating capacity of 50 or less seats, United Airlines operates three daily roundtrips using regional jets between St. Louis and Dulles, and Southwest Airlines only flies to BWI, not to DCA or Dulles; and

WHEREAS, with such a lack of competition for flights to Washington, D.C., Primaris, a new entrant airline, would introduce competition in the market served currently only by American Airlines; and

WHEREAS, Primaris proposes to operate a twice-daily premium service between STL and DCA using Boeing 757 aircraft with 126-seat capacity in a two-by-two configuration for passenger comfort; and

WHEREAS, Primaris will provide this premium service which is equal to or better than the current business class service and will offer fares significantly lower than most coach class fares of American Airlines' commuter affiliates that now conduct DCA-STL operations; and

WHEREAS, while recognizing that the United States Congress has given the federal Department of Transportation authority to grant only a few slot exemptions, given the size of the St. Louis market and the current lack of competition on the DCA-STL route, approval of Primaris Airlines' application is strongly recommended to serve the St. Louis-Washington, D.C. market:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Department of Transportation to grant approval to Primaris Airlines' application in Docket OST 2000-7182 for the operation of twice-daily service between Ronald Reagan Washington National Airport (DCA) and Lambert-St. Louis International Airport (STL); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copies of this resolution for the Honorable Norman Y. Mineta, Secretary of Transportation, and each member of the Missouri Congressional Delegation.

SENATE CONCURRENT RESOLUTION NO. 34 [SCR 34]

WHEREAS, Missouri's Rehabilitation Services for the Blind is housed within the Department of Social Services; and

WHEREAS, Rehabilitation Services for the Blind is in place to create opportunities for eligible blind and visually impaired persons so that they may attain personal and vocational success; and

WHEREAS, the services provided by Rehabilitation Services for the Blind (RSB) assist people with varying degrees of visual impairment, ranging from those who cannot read regular print to those who are totally blind and serve a vital role for those persons seeking its services; and

WHEREAS, changing the status of Rehabilitation Services for the Blind from one of many "programs" within the Department of Social Services to its own division is necessary:

(1) Because the number of eligible blind and visually-impaired person increases substantially each year; and

(2) To ensure that Rehabilitation Services for the Blind continues to provide the most efficient and beneficial services to eligible blind and visually-impaired persons; and

(3) To ensure that the new director of the Division of Rehabilitation Services for the Blind can maintain better control of the services provided and can continue to receive the appropriate funding from the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request the Governor to authorize by Executive Order the transfer of all duties, functions and responsibilities of Rehabilitation Services for the Blind from "program" status within the Department of Social Services and thereby creating the Division of Rehabilitation Services for the Blind which will raise its level of distinction within the Department; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor.

SENATE CONCURRENT RESOLUTION No. 36 [HCS SS SCS SCR 36]

WHEREAS, underage drinking is an issue of concern to the citizens of our state; and

WHEREAS, research indicates teenagers and their parents are not well informed about the legal, social, and other consequences of underage drinking; and

WHEREAS, underage drinking may lead to social disruption, individual impairment and emotional maladjustment with tragic consequences:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create a Joint Interim Committee on Underage Drinking; and

BE IT FURTHER RESOLVED that the joint interim committee shall study the current public and private efforts to combat underage drinking, evaluate their effectiveness, and make recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the joint interim committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of eight members, of which four shall be members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; and four shall be members of the House of Representatives, of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader, with approval of the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the members of the joint interim committee shall be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the joint interim committee shall expire on December 31, 2004, and on that same date deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate and the Speaker of the House of Representatives.

SENATE CONCURRENT RESOLUTION NO. 37 [SCR 37]

WHEREAS, the best way to improve Missouri's schools is to:

- (1) Reinforce local control of schools;
- (2) Demand greater accountability by state and local administrators which will reduce waste and ensure more money goes to classrooms and less to bureaucrats;
- (3) Reduce state and federal regulations that cause the misallocation of resources to fund the wrong priorities and eliminate unnecessary and burdensome regulations that stifle teachers and school districts from improving education;
- (4) Support our teachers by looking for new, innovated and practical ideas that the General Assembly can address to assist teachers in the classroom:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Teacher Support, Regulatory Reduction and Accountability"; and

BE IT FURTHER RESOLVED that the Committee shall be composed of ten members, with five members of the Senate to be appointed by the President Pro Tem of the Senate, and

five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and no more than six members of such committee shall be from the same political party; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the rules and policies concerning the administrative burdens for teachers; identify opportunities that will allow for greater flexibility, innovation, and freedom to improve teaching opportunities and the quality of a classroom education; identify tax credits, resources, support services and funding for those support services and review classroom technology, including replacement and upgrade of computer hardware and software; review classroom liability and discipline issues facing teachers and look at ways to improve alternative schools; and solicit extensive testimony and opinions from teachers on what additional tools, support systems, legislation, training and funding they need to improve Missouri's educational system; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2005.

SENATE CONCURRENT RESOLUTION No. 41 [SCS SCR 41]

WHEREAS, the United States Fish and Wildlife Service has mandated that the United States Army Corps of Engineers implement a plan for operating the Missouri River that calls for a "spring rise" and a "summer low flow." This plan would result in an increase in the flow of the Missouri River in the spring when the risk of flooding of bottomland farms is already high. The plan also would result in a reduction of the flow of the Missouri River in the summer of each year, thereby negatively affecting farmers, utilities, and businesses from Omaha to the Gulf of Mexico, purportedly to improve habitat for the pallid sturgeon, an endangered fish; and

WHEREAS, the United States Fish and Wildlife Service has dictated these controversial flow changes primarily to benefit only a short segment of the Missouri River where pallid sturgeon have not even been found in six years of sampling; and

WHEREAS, analyses have shown that low river flows could actually degrade habitat important to the pallid sturgeon in segments of the lower Missouri and Mississippi Rivers where pallid sturgeon have been found in recent years; and

WHEREAS, in the summer months of 2002 and 2003, record low flows on the Missouri River increased transportation costs for Missouri farmers by halting navigation, increased power plant cooling costs for private utilities, increased drinking water treatment costs for public utilities

across the state of Missouri, and caused water quality violations with the temperature in the Missouri River exceeding 90 degrees. Despite the economic harm already experienced by Missourians, the United States Fish and Wildlife Service has unilaterally mandated summer low flows during the next two years that are virtually identical to those experienced in 2002 and 2003; and

WHEREAS, while the United States Fish and Wildlife Service has failed to provide sufficient scientific evidence that proves that their mandated "spring rise" and "summer low flow" will improve habitat for the pallid sturgeon, analysis has shown that their proposal will increase the risk of flooding bottomland farms along the Missouri River, will result in economic harm to public and private utilities, and will risk the jobs of those who rely on the Missouri and Mississippi Rivers for their livelihoods; and

WHEREAS, the so-called "drought conservation measures" under consideration by the United States Army Corps of Engineers for inclusion in the Missouri River Master Manual would take away usable water from Missourians by shifting the storage of more water to upstream reservoirs while decreasing the amount of water available for other designated downstream uses; and

WHEREAS, the Missouri River contributes up to 65 percent of the Mississippi River flow at St. Louis during low-water conditions; and

WHEREAS, reduction of Missouri River flows would result in more frequent and more costly impediments to commerce on the Mississippi River where more than 120 million tons of cargo, which includes 60 percent of the nation's grain harvest, is shipped annually past St. Louis.

WHEREAS, the United States Eighth Circuit Court of Appeals recently affirmed that the dominant functions of the Missouri River Reservoir System are flood control and navigation, with recreation and other interests being secondary uses:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby respectfully request that the President of the United States direct the United States Fish and Wildlife Service and the United States Army Corps of Engineers to develop a plan for operating the Missouri River Reservoir System that will not increase the risk of flooding for bottomland farmers and will not harm the economy of the Midwestern states by failing to provide adequate flows to meet all designated downstream uses on the Missouri and Mississippi Rivers; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, each member of the Missouri Congressional Delegation, the United States Fish and Wildlife Service, and the United States Army Corps of Engineers.

SENATE CONCURRENT RESOLUTION No. 47 [SS SCR 47]

WHEREAS, Missouri has a long tradition of providing funding for multimodal transportation services; and

WHEREAS, multimodal transportation services are a tool for economic development, mobility and congestion relief; and

WHEREAS, Missouri citizens directly benefit from multimodal transportation services; and

WHEREAS, recent state budget woes have forced personnel cuts, the elimination of promotional funds, and the implementation of a \$5 ticket surcharge to supplement insufficient state appropriations for passenger rail services; and

WHEREAS, other multimodal transportation services, such as MetroLink and OATS, face financial shortfalls during tight budgetary times; and

WHEREAS, mass transit systems are looking into fare increases in order to balance their budgets; and

WHEREAS, total state multimodal program funding for aviation, passenger rail, waterways, motor carrier, and transit has decreased from approximately \$25 million in fiscal year 2000 to \$16 million in fiscal year 2004; and

WHEREAS, there is a strong desire to stabilize and improve multimodal transportation services in Missouri in order to alleviate and enhance the mobility of people, goods, and freight; and

WHEREAS, according to the U.S. Department of Transportation, a multimodal transportation approach offers the promise of:

1. Lowering overall transportation costs by allowing each mode to be used for the portion of the trip to which it is best suited;
 2. Increasing economic productivity and efficiency, thereby enhancing the nation's global competitiveness;
 3. Reducing congestion and the burden on overstressed infrastructure components;
 4. Generating higher returns from public and private infrastructure investments;
 5. Improving mobility for the elderly, disabled, isolated, and economically disadvantaged;
- and
6. Reducing energy consumption and contributing to improved air quality and environmental conditions.

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Multimodal Transportation Services"; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of five members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; and five members of the House of Representatives, appointed by the Speaker of the House of Representatives, of which at least two shall be members of the minority party; and

BE IT FURTHER RESOLVED that the Committee shall make a comprehensive analysis of Missouri's multimodal transportation services and shall:

- (1) Create a long-term vision for state supported multimodal transportation services in Missouri;
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- (2) Formulate multimodal transportation policies and strategies that will place Missouri in a proactive position with regard to Missouri's future transportation challenges and opportunities;
- (3) Explore how Missouri can better regulate and connect the various modes of transportation into a united system;
- (4) Provide recommendations of how to reduce dependence on state general revenue support by increasing efficiencies, exploring dedicated funding sources, and by establishing local community support requirements;
- (5) Provide recommendations of how to establish public/private partnerships with railroads to complete infrastructure improvements that will reduce track congestion and improve on-time performance of trains;
- (6) Provide recommendations of how to increase utilization of multimodal services through the stabilization of services, increased promotional efforts, and service improvements; and
- (7) Review and explore any other issues the Committee deems relevant to the issue of improving multimodal transportation services; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the appointed members of the joint interim committee be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 15, 2005, and that the authority of said Committee shall terminate on said date.

SENATE CONCURRENT RESOLUTION No. 51 [SCR 51]

Relating to recognition of the Ellis Fischel Cancer Center.

WHEREAS, on January 11, 1937, Governor Lloyd C. Stark of Missouri in his inaugural address stressed the desirability and importance of a cancer hospital, which should be available to "the humblest citizen"; and

WHEREAS, Senator Michael Kinney of St. Louis introduced a cancer hospital bill to the 59th General Assembly, a measure which was subsequently passed and signed by Governor Stark on May 28, 1937; and

WHEREAS, the bill provided for the erection and operation of the first state cancer hospital in the country and provision for the establishment of diagnostic clinics, and for the

Governor to appoint a State Cancer Commission to supervise the maintenance and operation of the state's cancer program and to appoint a hospital administrator; and

WHEREAS, the cornerstone for this historic state cancer hospital was laid December 9, 1938, and the hospital opened in 1940 as the Ellis Fischel State Cancer Hospital in honor of Dr. Ellis Fischel, a St. Louis surgeon who was a staunch advocate and chairman of the Missouri State Cancer Commission who suffered an early and unfortunate death before the hospital was completed; and

WHEREAS, the Ellis Fischel State Cancer Hospital has a long and historical record of compassionate cancer treatment for the citizenry of Missouri and beyond, and of cancer outreach education and prevention activities that have engaged virtually every county in the State of Missouri; and

WHEREAS, the Ellis Fischel State Cancer Hospital, which has been owned and operated by the State of Missouri under the authority of the Missouri State Cancer Commission for fifty years, was transferred by Governor John Ashcroft from management by the Missouri Department of Health and Senior Services to that of the Curators of the University of Missouri, a sovereign entity of the State of Missouri, on November 1, 1990; and

WHEREAS, this transfer of management and the merger of the highest quality cancer research, education, and treatment programs between the staffs of the Ellis Fischel State Cancer Hospital and the Medical School of the University of Missouri-Columbia, which resulted in renaming the program the Ellis Fischel Cancer Center, has resulted in a State Cancer Hospital that provides research in the causes, prevention, and treatment of cancer of the very highest quality care for Missourians:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, the House of Representatives concurring therein, unanimously join in extending our recognition of the history and service of the Ellis Fischel Cancer Center as the designated cancer institute of the State of Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 9, 2004
